

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-8, 10-16, 18-35, 37-59 and 61-66 are currently pending in this application. Claims 1, 23, 30, 42-59 and 61-66 have been amended, and claims 9, 17, 36, and 60 are canceled.

Claim Rejections - 35 U.S.C. §101

Claims 30-35, 37-59, 61-64 and 66 were rejected under 35 U.S.C. 101 because the claimed invention is supposedly directed to non-statutory subject matter. Applicant respectfully disagrees.

The claims 30-35 and 37-41 are “means for” claims and hence cover embodiments disclosed in the specification such as a computer which has been programmed to provide the functions claimed. Thus, these “means for” claims, in one embodiment, are the computing device 100 shown in Figure 1 and described in paragraphs 16-19. The first sentence of paragraph 19 makes it clear that the device 100 (which includes a processor, storage device, display monitor 134, etc.) may implement a method of the invention by using software stored on device 100. This is clearly a physical apparatus and hence is statutory subject matter. For example, the “means for associating” and means for preparing can be the processor 110 and the storage device 120 causing the execution of software to provide these functions. This rejection should be reversed.

With regards to the storage medium claims, the relevant portion of the specification, paragraph [0016], is duplicated below (emphasis added):

Storage device 120 may be any kind of machine readable medium including, for example, magnetic media such as disk drives and magnetic tape; optical drives such as compact disk read only memory (CD-ROM) and readable and writeable compact disks (CD-RW); stick and card memory devices; ROM, RAM, flash memory devices and the like;

whether internal, such as storage device 120 and, in other embodiments, directly coupled, accessible locally or remotely via network 170, **and accessible** via electrical, optical, acoustical or other form of propagated signals (e.g., carrier waves, infrared signals, digital signals, etc.) via network access device 162. (emphasis added)

The applicant believes that the specification clearly delineates what the storage device 120 includes, as opposed to how the storage device 120 is accessed by device 162. The rejection has included the means of access (e.g. propagated signals) to the storage medium in the claims. This is incorrect. The specification clearly does not include propagated signals as a storage medium. Even a layman with a clear grasp of sentence construction would not view storage device 120 to be defined as a propagated signal. Thus, the applicant is being unfairly punished for the mere mention of a propagated signal in a specification.

The claims have been further amended to a machine readable storage medium. The applicant believes that there is no further reasonable doubt to which the claim language includes.

In light of the foregoing arguments applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. 101.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-8, 10-16, 20-35, 39-47, 50-59 and 63-66 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al., U.S. Patent 6,081,262 (hereinafter “Gill”) and Lanier et al., U.S. Patent 5,588,104 (hereinafter “Lanier”). Applicant respectfully disagrees.

Gill teaches presentation software in a page based format. The applicant believes that Gill is unrelated to the claims at issue. Lanier teaches software for creating virtual worlds.

Amended claim 1 is reproduced below:

A computer implemented method comprising:

receiving a first request to create a three-dimensional virtual reality scene;

receiving a second request to add at least two media objects to the virtual reality scene, wherein each media object is two-dimensional;

associating each media object with a series of two-dimensional views of the media object from various orientations and locations in three dimensional space;

preparing a translation vector and a rotation matrix for each of the media objects, the rotation matrix and the translation matrix defining an orientation and a location of each of the media objects in the virtual reality scene, wherein each two-dimensional view of each media object defines a different orientation of each media object;

building the virtual reality scene for display, wherein the at least two media objects are included within the virtual reality scene, and the virtual reality scene is translatable and rotatable, and wherein translating and rotating the virtual reality scene results in changing the respective two-dimensional views of the object to give the appearance of the media objects having three dimensional qualities.

The applicant has amended the independent claims for further clarity. The claims are directed to placing two objects which have only 2-dimensional qualities in a 3-dimensional environment. Clearly without more the objects would have little value in the 3-dimensional environment, because when the 3-dimensional environment is shifted a 2-dimensional object would disappear or appear irregular because it can only logically appear in one tangential viewpoint, as a true 2-dimensional object will have no appropriate depth.

Each of the media objects is associated with a series of additional 2-dimensional views. Thus when the 3-dimensional environment shifts, a different 2-dimensional view will appear and give the appearance that the 2-dimensional objects have 3-dimensional qualities. Accordingly, a 2-dimensional object can now have a logical appearance in a 3-dimensional environment even during translation of the 3-dimensional environment. These features are absent from the combination of Gill and Lanier.

In light of the foregoing arguments applicant believes that claims 1-8, 10-16, 20-35, 39-47, 50-59 and 63-66 are patentable over Gill and Lanier, and respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. 103(a).

Claims 18-19, 37-38 and 48-49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gill and Lanier as applied to claims 1, 30 and 42, and further in view of Autry et al., U.S. Patent 5,724,106 (hereinafter "Autry"). Applicant respectfully disagrees.

As shown above, the combination of Gill and Lanier does not disclose the amended claims, and the addition of Autry does not cure this deficiency. Accordingly, the applicant believes the rejection should be removed.

In light of the foregoing arguments applicant believes that claims 18-19, 37-38 and 48-49 are patentable over Gill and Lanier, in further view of Autry, and respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. 103(a).

Claims 61-62 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gill and Lanier as applied to claim 53, and further in view of Kopelman et al., U.S. Patent 6,664,986 (hereinafter "Kopelman.") Applicant respectfully disagrees.

As shown above, the combination of Gill and Lanier does not disclose the amended claims, and the addition of Kopelman does not cure this deficiency. Accordingly, the applicant believes the rejection should be removed.

In light of the foregoing arguments applicant believes that claims 61-62 are patentable over Gill and Lanier, in further view of Kopelman, and respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. 103(a).

Applicant respectfully submits that in view of the amendments and arguments set forth herein, the applicable rejections have been overcome.

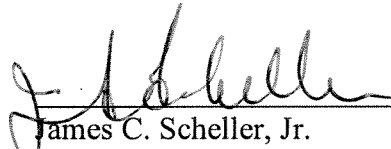
Request for Extension of Time

Applicant respectfully requests a one-month extension of time to respond to the pending Office Action. Please charge Deposit Account No. 02-2666 in the amount of \$120.00 for this extension. Furthermore, please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

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